

REMARKS

Applicants have carefully studied the outstanding Official Action. The present amendment is intended to be fully responsive to all points of rejection and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the present application are hereby respectfully requested.

1. Applicants thank the Primary Examiner for the courtesy of an interview granted to Applicants' representative Sanford T. Colb, registration number 26,856, on 15 June 2005. The substance of the interview, in which a suggested amendment to claim 132 was discussed, is described in the Interview Summary. As discussed below, claim 132 has been amended accordingly.

2. The undersigned attorney thanks the Primary Examiner for the courtesy he extended in a telephone call on 21 September 2005. We discussed the fact that a number of IDS's (and the attached copies of the documents listed in those IDS's) had not been entered in the file, and had not been considered by the Primary Examiner in his preparation of the 20 May 2005 Office Action. It was agreed that it would be prudent to submit another copy of those IDS's, together with another copy of each foreign and international patent document and each non-patent document listed, but that it would be unnecessary to submit another copy of each US patent document listed.

Another copy of the IDS's previously submitted on the following dates and of the listed documents (other than the US patent documents listed) accompany this Reply: 21 June 2000, 5 July 2000, 9 August 2000, 19 December 2000, 22 February 2001, 28 February 2001, 30 May 2001, 17 December 2001, 28 January 2002, 4 February 2002, 14 May 2002, 13 November 2002, 21 January 2003, 13 May 2003, and 8 September 2004.

3. Claims 70 - 73, 75, 76, and 107 - 133 are pending in the present application before the present amendment. Claims 108, 110, 118, 120, 128, 130 and 133 are cancelled without prejudice. Claim 132 is amended for purposes of clarification.

4. Claims 70 - 73, 75, 76, 111 - 116, and 121 - 126 stand rejected under 35 USC 102(e) over US Patent 6,698,020 to Zigmond et al.

Zigmond et al describes a system for intelligent video advertisement insertion, in which advertisers are able to target viewers based, for example, on demographic data, geographical location, and individual viewing habits.

Claims 107, 109, 117, 119, 127, 129 and 131 stand rejected under 35 USC 103(a) over Zigmond et al in view of US Patent 6,490,000 to Schaefer et al.

Schaefer et al describes a system for delaying the delay of audio and video broadcast signals received from a remote location, including use of a first-in / first-out storage queue. The system can be controlled by allowing a broadcast facility to “mark” segments of video and audio to be immune from fast-forward.

The rejection of claims 70 - 73, 75, 76, 107, 109, 111 - 117, 119, 121 - 127, 129, and 131 is hereby respectfully traversed. Enclosed are two declarations under 37 CFR 1.131, establishing invention of claims 70 - 73, 75, 76, 107, 109, 111 - 117, 119, 121 - 127, 129, and 131 prior to the effective date under 35 USC 102(e) of Zigmond et al. Therefore, Zigmond et al can not be properly used to reject claims 70 - 73, 75, 76, 107, 109, 111 - 117, 119, 121 - 127, 129, and 131 under 35 USC 102(e).

Claims 70 - 73, 75, 76, 107, 109, 111 - 117, 119, 121 - 127, 129, and 131 are therefore deemed allowable.

5. Claims 108, 110, 118, 120, 128, 130, 132 and 133 stand rejected under 35 USC 103(a) over Zigmond et al in view of US Patent 6,377,745 to Akiba et al.

Akiba et al describes an apparatus and method for recording and reproducing video data. Specifically, Akiba et al describes (in the passage pointed out by the Examiner, at col. 12 line 53 - col. 13 line 20) the possibility of manipulating the manner of reproduction of frames of a commercial being played in a fast forward mode in order to suppress the viewer’s eye strain; the result is, presumably, to make the commercial more intelligible despite the fast forward mode of play.

It is respectfully pointed out that Akiba et al describes a low-level “technical” manipulation of the frames being played. Thus, Akiba et al only

describes a situation in which the material being played in fast-forward mode is itself altered / shortened for better viewing of that material.

As discussed in the Interview, claim 132 has been amended to recite "presenting alternative shortened versions of other commercials in response to a user request to view said one commercial in a fast-forward or fast-backward mode." Thus, claim 132 as amended now includes a recitation which is clearly different from Akiba et al; the indicated feature in claim 132 is neither described nor suggested by Akiba et al.

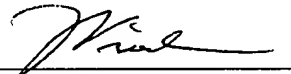
Amended claim 132 is therefore deemed allowable.

Claims 108, 110, 118, 120, 128, 130, and 133 have been cancelled without prejudice. Applicants reserve the right to pursue claims 108, 110, 118, 120, 128, 130, and 133 in the context of a continuing application.

In view of the foregoing remarks, it is respectfully submitted that the present application is now in condition for allowance.

Favorable reconsideration and allowance of the present application are respectfully requested.

Respectfully submitted,



L. Friedman
Reg. No. 37,135

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WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500